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November 28, 2022

*By ECF*

Hon. Mary Kay Vyskocil  
United States District Judge  
Daniel Patrick Moynihan Courthouse  
Southern District of New York  
500 Pearl Street, Room 2230  
New York, NY 10007

**Re: Charlier v. 21 Astor Place Condominium, et al.  
Case Number: 22-cv-05903 (MKV)**

Dear Judge Vyskocil:

My law firm represents defendant Ricardo Proverbs in the above-referenced action.

With consent of counsel for plaintiff and counsel for all the other defendants besides Mr. Proverbs (the “Corporate Defendants”), I submit this Letter-Motion seeking an adjournment of the January 4, 2023 Initial Pretrial Conference the Court set to discuss, *inter alia*, a discovery schedule and the Corporate Defendants intended motion to dismiss the complaint. There has been no previous application for the adjournment sought in this Letter-Motion.

I am requesting an adjournment as I will be out of the country on vacation with limited and/or unreliable access to the internet from December 31, 2022 to January 7, 2023. To update the Court on the case’s procedural status, per the Court’s November 7, 2022 order, the parties have already met on November 10, 2022 for an hour to discuss the possibility of settlement, and have scheduled another meeting to discuss their Proposed Case Management Plan and Scheduling Order on December 21, 2022.

I have consulted with counsel and, in addition to the time I will be out of the country, the dates that one or more of us are unavailable after January 4, 2023 are: January 9 - 10, 13, 19 - 20, 23, 27 and 30 and February 2 – 3 and 6 - 7. As such, the parties respectfully ask that the adjourn date be set on any other day that is convenient for the Court.

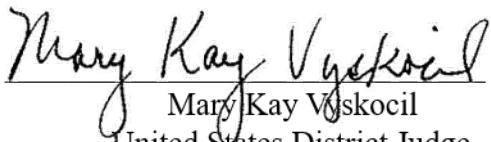
Respectfully submitted,  
Himmel & Bernstein, LLP  
By:   
Tracey S. Bernstein  
Attorneys for Ricardo Proverbs

TSB/oho

cc: Johnmack Cohen, Esq. (By ECF & Email)  
Attorney for Plaintiff Annabelle Charlier  
Barry G. Margolis, Esq. (By ECF & Email)  
Attorney for the Corporate Defendants

**The Initial Pretrial Conference scheduled for January 4, 2023  
is hereby adjourned and rescheduled to February 1, 2023 at  
2:30 PM. SO ORDERED.**

Date: 11/29/2022  
New York, New York

  
Mary Kay Viskocil  
United States District Judge